

**MINUTES OF THE  
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**  
Wednesday, October 18, 2000 - 2:00 p.m. - Room 414 State Capitol

**Members Present:**

Sen. R. Mont Evans, Senate Chair  
Rep. Joseph G. Murray, House Chair  
Sen. L. Alma "Al" Mansell  
Sen. Pete Suazo  
Sen. Michael G. Waddoups  
Rep. Eli H. Anderson  
Rep. Loretta Baca  
Rep. DeMar "Bud" Bowman  
Rep. Marda Dillree  
Rep. David L. Gladwell  
Rep. Richard M. Siddoway

**Members Absent:**

Rep. Greg J. Curtis  
Rep. Raymond W. Short  
Rep. Glenn L. Way

**Staff Present:**

Mr. Joseph Wade,  
Research Analyst  
Mr. Robert H. Rees,  
Associate General Counsel  
Ms. Joy L. Miller,  
Legislative Secretary

**Members Excused:**

Sen. Scott N. Howell

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

**1. Call to Order** - Sen. Evans called the meeting to order at 2:20 p.m.

**2. The '911' Emergency System in Utah** - Ms. Maria Stahla, Office of the Legislative Auditor General, distributed a copy of the Performance Audit of the 9-1-1 System in Utah. She noted 38 entities collect the 911 telephone fee and there are 35 public safety answering points (PSAPs). There is no statewide planning and coordinating of the 911 system. In order to address these problems, they recommend the legislature establish a small state 911 office to assist in planning for the statewide 911 system as well as providing technical assistance and coordination to PSAPs. The existing fee collection system also has many weaknesses. By statute the 911 fee of up to \$.53 can be charged to every phone per month. They recommend the legislature amend the Utah Code to centralize the collection of the 911 fee on a statewide basis under the State Tax Commission. Ms. Stahla stated they also recommend the legislature clarify the 911 policies and specify appropriate uses of 911 funds in statute.

Mr. Brad Dee, Weber Area Consolidated Dispatch Center, indicated that Weber County has consolidated all of its 911 services into one center that services Weber and Morgan counties. He said they believe they already have accountability for their system which is built entirely upon the 911 funds as well as separate dispatch funds that come from each of the individual participating entities including the state. If the state were to facilitate another disbursement facility, it would prove detrimental to Weber County.

Commissioner Glen Burton, Weber County, said having control at the local level allows flexibility. Had the flexibility not existed, they would not have consolidated dispatch in Weber County. They would be willing to participate in certain parts of the audit recommendations.

Mr. Terry Ingram, Salt Lake Valley Emergency Communications Center, stated they recognize there are problems statewide and believe there are several options available to solve them. He noted time is limited due to preparations for the Olympics. Major changes in operations at this time could severely impact them.

Sen. Dmitrich said the 911 system has worked well throughout the state of Utah. However, small cities such as Kanab and Moab do not generate enough funds to support their systems yet their problems are created because of all the visitors to their areas. There must be a system established that has a reserve to help the smaller communities address the 911 problem.

Ms. Bonnie Fernandez, League of Women Voters, requested a tracking system be implemented to determine if the money collected is needed and where it is going. That information should be made to the public.

Ms. Laura Nelson, Committee of Consumer Services, agreed with the issue of accountability. Although most telephone companies are charging \$.53 per phone, that amount could be less. She indicated there needs to be a review process.

Rep. Gladwell stated recommendations contained in the audit can accomplish both coordination and technical assistance. The fee collected could possibly be considered a hidden tax because in some cases there has been an expansion of the use of the funds beyond what the legislature intended. He also indicated the Legislative Management Committee asked the committee to also look at the issue of cell phones and cell phone surcharges.

**MOTION:** Rep. Gladwell moved to draft legislation concerning the 911 system that the committee could review at the next meeting. The motion passed unanimously. Sens. Mansell and Waddoups and Rep. Dillree were absent for the vote.

**MOTION:** Rep. Siddoway moved to approve the minutes of August 16, 2000. The motion passed unanimously. Sen. Waddoups and Reps. Dillree and Gladwell were absent for the vote.

**3. Eminent Domain** - Mr. Craig Call, Private Property Ombudsman, said the original goal of the study was to determine whether or not there should be some mandatory disclosures in statute that property could not be condemned until an agency had shown they had made certain disclosures. He distributed a draft booklet which contains the consensus among redevelopment

agencies, counties, cities, water organizations, and others. He noted the executive summary of property owners' rights which includes 26 disclosures that will be given to property owners prior to condemnation action against them.

Mr. John Njord, Department of Transportation, said they are encouraged by the booklet and will continue to participate in making refinements and providing the information to property owners as property is acquired.

Mr. Craig Hall, South Salt Lake attorney, stated the municipalities are pleased with the effort. He has found that disclosure to property owners and working with them pays dividends in the long run. The booklet will serve to reassure property owners that government is not attempting to take anything from them without fair compensation.

**4. Classification of Municipalities** - Rep. Harper distributed and reviewed concerns and issues that have been raised and the concepts and proposals that have been outlined regarding classification of cities. He stated the purpose of the review is to make the classes of cities a meaningful tool for planning, budgeting, reporting, and administration for the specific entity and for the state. Draft legislation will be developed for the committee to consider next month.

Mr. Dave Spatafore, Utah League of Cities and Towns, indicated he did not think there is any intention to reduce or do away with any requirements. Proposed changes would bring everything together in the Utah Code under the different classifications.

**5. Update on Redevelopment Agency (RDA) Recodification** - Rep. Harper stated a committee has been meeting for several months to recodify the redevelopment agency statutes in order to make it more understandable and easier to follow. He referred to draft legislation, "Recodification of Redevelopment Agencies Statutes" which was distributed to the members. He requested the committee take the time to review the bill and contact him or Mr. Rees if they have any questions.

Sen. Evans indicated the legislation would be placed on the next agenda.

**6. Update on Special Districts Recodification Subcommittee** - Mr. Rees explained that the subcommittee has met and completed review of an outline which the Association of Special Districts developed regarding proposals for withdrawal, dissolution, and annexation. The next step is for the subcommittee to consider actual draft language. That language will be brought before the interim committee next month.

Rep. Dillree stated that she felt the eminent domain issue concerning UTA should be on its own.

Ms. Kim Bouck, Lt. Governor's Office, stated when S.B. 80 was passed in 1998, the Lt. Governor's office was made the certifying body for the creation of all special districts. The Lt. Governor has requested the committee consider the certification authority and whether it could be given to an agency that is more directly involved with special districts.

Mr. Jan Furner, Utah Association of Special Districts, stated after discussions with the Lt. Governor, he approached the State Auditor's Office to determine if they would have an interest in facilitating the certification.

Sen. Evans indicated the issue is scheduled for discussion at the Special Districts Subcommittee meeting on Monday, October 23 at 9:00 a.m.

**MOTION:** Rep. Siddoway moved to adjourn. The motion passed unanimously. Chair Evans adjourned the meeting at 3:35 p.m.